

P8016631USA

MB 383

O P T E
JUL 01 2004
PATENT & TRADEMARK OFFICE USA

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As below named Inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTERNAL COMBUSTION ENGINE WITH AN EXHAUST GAS TURBOCHARGER

the specification of which is attached hereto or was filed on date: 01/29/04 under SN: 10/772231

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a) and 35 U.S.C. 102 both as set forth on the reverse side hereof. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date (1) before that of the application on which priority is claimed or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

| <u>Number</u> | <u>Country</u> | <u>Day/Month/Year Filed</u> | <u>Priority Claimed</u> |
|---------------|----------------|-----------------------------|-------------------------|
| 103 03 777.2 | Germany | 31/01/03 | Yes |

I hereby claim the benefit under 35 U.S.C. 120/365 of all United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application.

PRIOR U.S. OR PCT APPLICATION(S)

| <u>Application Serial No</u> | <u>Day/Month/Year filed</u> | <u>Status</u> |
|------------------------------|-----------------------------|---------------|
|------------------------------|-----------------------------|---------------|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint

Klaus J. Bach (Reg.-No. 26,832), 4407 Twin Oaks Drive, Murrysville, PA 15668, Tel. 724-327-0664

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

1) Inventor's Signature Wolfram Schmid Date 27.1.04
Inventor's Name: Wolfram Schmid Citizenship: German

Residence (city): Nürtingen State/Foreign Country: Germany
Post Office Address: Friedrich-Glück-Strasse 49, 72622 Nürtingen, Germany

2) Inventor's Signature Alfred Küspert Date 29.01.04
Inventor's Name: Alfred Küspert Citizenship: German

Residence (city): Ostfildern State/Foreign Country: Germany
Post Office Address: Scharnhauser Strasse 85/3, 73760 Ostfildern, Germany

3) Inventor's Signature Rolf Hutmacher Date 22.01.04
Inventor's Name: Rolf Hutmacher Citizenship: German

Residence (city): Remshalden State/Foreign Country: Germany
Post Office Address: Frankenstrasse 7, 73630 Remshalden, Germany

4) Inventor's Signature Siegfried Sumser Date 29.1.04
Inventor's Name: Siegfried Sumser Citizenship: German

Residence (city): Stuttgart State/Foreign Country: Germany
Post Office Address: Buchauer Strasse 3, 70327 Stuttgart, Germany